

FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: October 12, 2017

Agenda Item: ARM Amendment to Wake Restriction on the Missouri River in Great Falls

Division: Enforcement

Action Needed: Proposed

Time Needed on Agenda for this Presentation: 10 Min

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Background:

On November 10, 1983, the Commission proposed restricting motorized use on the Missouri River from the Warden Bridge on 10th Avenue to Oddfellows Park at Broadwater Bay to, "preclude the use of motor boats in an area that is designed to facilitate floaters who do not use motors." Also, at that time, the Department anticipated "that the use of motors at an area designated for floaters would create a hazardous situation." Historically, the Department has not designated or posted this area for nonmotorized or float use only.

Private landowners submitted a petition to eliminate the use of motorized watercraft on the stretch of the Missouri River through Great Falls to address concerns with erosion and safety. The Department coordinated with the City of Great Falls and landowners on the shoreline to develop recommended rule language to address the concerns of the landowners. The Department is recommending the commission amend ARM 12.11.630 to remove the obsolete language regarding no motorized use and establish a seasonal 200-foot no wake zone on the western shoreline between the Warden Bridge and the Burlington Norther Railway Bridge No. 119.4.

Public Involvement Process & Results: The public has not had an opportunity to review or comment on the recommended rule language. If approved by the Commission, rulemaking processes would be initiated that would include public involvement.

Alternatives and Analysis: The Commission can opt to not propose the recommended rule language and ARM 12.11.630 will remain as it currently exists which will not address the concerns of local landowners.

The Commission can propose changes the recommended rule language which may or may not be agreed to by the local landowners including private citizens and the City of Great Falls.

Agency Recommendation & Rationale: The Department recommends the Commission propose the amendments to ARM 12.11.630. Private landowners, the City of Great Falls, and the Department agreed to the amendments to the rule.

Proposed Motion:

I move the Fish and Wildlife Commission propose amendments to ARM 12.11.630 to remove the obsolete language regarding no motorized use and establish a 200-foot no wake zone on the western shoreline between the Warden Bridge and the Burlington Norther Railway Bridge No. 119.4 from May 1 to September 30.